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January 30, 2007

Hon. Lawrence E. Kahn
United States Magistrate Judge
James T. Foley U.S. Courthouse
445 Broadway, Room 509
Albany, New York 12207

RE: **SYNCA v. Multimedia v. SYNCA – Case #: 8:06-cv-1263**

Dear Judge Kahn:

We have made 2 proposed changes to the Order (see redlined and clean versions attached), submitted by the Defendants, that are significant from my client's perspective, as I see no reason to enjoin Sync's counsel nor affiliates who are not parties to the litigation.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

STAFFORD, OWENS, CURTIN
& TROMBLEY, PLLC



By: William L. Owens, Esq.

WLO/taf
Enclosure
CC: James V. Marks, Esq.
Mark McCarthy, Esq.
Raymond Monette (via E-Mail)

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF NEW YORK

SYNCA DIRECT, INC.,

Plaintiff,
Counterclaim-Defendant,

vs.

MULTIMEDIA DENTAL SYSTEMS, INC.,

Defendant and
Counterclaim-Plaintiff,

vs.

SYNCA, and JOHN DOES 1-5,

Additional
Counterclaim-Defendants.

**PRELIMINARY
INJUNCTION
ORDER**

Index No.: 06-CV-1263
LEK/DRH

The above-styled matter has come before the Court on the application of Multimedia Dental Systems, Inc. (“MMD”) for an Order requiring the Counterclaim-Defendant, Synca Direct, Inc. (“Synca”), to show cause why a temporary restraining order and preliminary injunction should not be issued to prevent Synca from infringing MMD’s rights in digital x-ray and dental imaging software known as MediaDent Dental Imaging v.4.5 (“MediaDent D.I.”) which is covered by U S. Copyright Office Certificate of Registration Number TX-6-159-013. Having read and considered MMD’s Motion for a Temporary Restraining Order and Preliminary Injunction (the “Motion”), and all materials offered in support of and opposition to the Motion, and counsel for Plaintiff and Counter-Claim Defendant having conceded in open Court that MMD is entitled to a Preliminary Injunction on the record before the Court, it is hereby

ORDERED that, Synca, its principals, directors, officers, subsidiaries, agents, employees, successors, assigns, and all other persons or entities acting in concert with them or who have actual notice of this Order are preliminarily enjoined from:

(a) imitating, copying or making any other infringing use or infringing

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distribution of software programs including specifically, but not limited to, CADI v.4, which utilizes any portion of the source code protected by MMD's certificate of copyright registration number TX-6-159-013;

(b) manufacturing, assembling, producing, distributing, offering for distribution, circulating, selling, offering for sale, advertising, importing, promoting or displaying any software program including specifically, but not limited to CADI v.4, which bears any simulation, reproduction, copy, or colorable imitation of any program utilizing any of the source code protected by MMD's certificate of copyright registration number TX-6-159-013;

(c) engaging in any other activity constituting an infringement of any MMD's rights and/or right to use or exploit the above described copyright, and

(d) assisting, aiding, or abetting any other person or business entity engaging in or performing any of the activities referred to in subparagraphs (a) — (c) above; and

DATED: Albany, New York
January __, 2007

TIME OF ISSUANCE: _____

SO ORDERED:

The Honorable Lawrence E. Kahn
United States District Judge

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SYNCA DIRECT, INC.,

Plaintiff,
Counterclaim-Defendant,

vs.

MULTIMEDIA DENTAL SYSTEMS, INC.,

**PRELIMINARY
INJUNCTION
ORDER**

Defendant and
Counterclaim-Plaintiff,

Index No.: 06-CV-1263
LEK/DRH

vs.

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Additional
Counterclaim-Defendants.

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distribution of software programs including specifically, but not limited to, CADI v.4, which utilizes any portion of the source code protected by MMD's certificate of copyright registration number TX-6-159-013;

(b) manufacturing, assembling, producing, distributing, offering for distribution, circulating, selling, offering for sale, advertising, importing, promoting or displaying any software program including specifically, but not limited to CADI v.4, which bears any simulation, reproduction, copy, or colorable imitation of any program utilizing any of the source code protected by MMD's certificate of copyright registration number TX-6-159-013;

(c) engaging in any other activity constituting an infringement of any MMD's rights and/or right to use or exploit the above described copyright, and

(d) assisting, aiding, or abetting any other person or business entity engaging in or performing any of the activities referred to in subparagraphs (a) — (c) above; and

DATED: Albany, New York

January __, 2007

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The Honorable Lawrence E. Kahn
United States District Judge